

State of Arizona
House of Representatives
Forty-fifth Legislature
Second Regular Session
2002

CHAPTER 83

HOUSE BILL 2282

AN ACT

AMENDING SECTIONS 13-2001 AND 13-2008, ARIZONA REVISED STATUTES; RELATING TO
IDENTITY THEFT.

(TEXT OF BILL BEGINS ON NEXT PAGE)



Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 13-2001, Arizona Revised Statutes, is amended to read:

13-2001. Definitions

In this chapter, unless the context otherwise requires:

1. "Access device" means any card, token, code, account number, electronic serial number, mobile or personal identification number, password, encryption key, biometric identifier or other means of account access, including a canceled or revoked access device, that can be used alone or in conjunction with another access device to obtain money, goods, services, computer or network access or any other thing of value or that can be used to initiate a transfer of any thing of value.

2. "Coin machine" means a coin box, turnstile, vending machine or other mechanical, electrical or electronic device or receptacle that is designed to receive a coin or bill of a certain denomination or a token made for such purpose and that, in return for the insertion or deposit of the coin, bill or token, automatically offers, provides, assists in providing or permits the acquisition or use of some property or service.

3. "Complete written instrument" means a written instrument that purports to be genuine and fully drawn with respect to every essential feature.

4. "Falsely alters a written instrument" means to change a complete or incomplete written instrument, without the permission of anyone entitled to grant it, by means of counterfeiting, washing, erasure, obliteration, deletion, insertion of new matter, connecting together different parts of the whole of more than one genuine instrument or transposition of matter or in any other manner, so that the altered instrument falsely appears or purports to be in all respects an authentic creation of its ostensible maker or authorized by him.

5. "Falsely completes a written instrument" means to transform an incomplete written instrument into a complete one by adding, inserting or changing matter without the permission of anyone entitled to grant it, so that the complete written instrument falsely appears or purports to be in all respects an authentic creation of its ostensible maker or authorized by him.

6. "Falsely makes a written instrument" means to make or draw a complete or incomplete written instrument that purports to be an authentic creation of its ostensible maker but that is not either because the ostensible maker is fictitious, or because, if real, the ostensible maker did not authorize the making or drawing of the written instrument.

7. "Forged instrument" means a written instrument that has been falsely made, completed or altered.

8. "Incomplete written instrument" means a written instrument that contains some matter by way of content or authentication but that requires additional matter to render it a complete written instrument.

1 9. "Personal identifying information" means a name, electronic
2 identifier or screen name, biometric identifier, driver OR PROFESSIONAL
3 license number, access device, residence or mailing address, telephone
4 number, employer, student or military identification number, social security
5 number, birth date, savings or checking account number, credit card, charge
6 card or debit card number, mother's maiden name, fingerprint, retinal image
7 or the image of an iris.

8 10. "Slug" means an object, article or device that by virtue of its
9 size, its shape or any other quality is capable of being inserted, deposited
10 or otherwise used in a coin machine as a fraudulent substitute for a genuine
11 token, lawful coin or bill of the United States.

12 11. "Written instrument" means either:

13 (a) Any paper, document or other instrument that contains written or
14 printed matter or its equivalent.

15 (b) Any token, stamp, seal, badge, trademark, graphical image, access
16 device or other evidence or symbol of value, right, privilege or
17 identification.

18 Sec. 2. Section 13-2008, Arizona Revised Statutes, is amended to read:

19 13-2008. Taking identity of another person; classification

20 A. A person commits taking the identity of another person if the
21 person knowingly takes, uses, sells or transfers any personal identifying
22 information of another person, without the consent of that other person, with
23 the intent to obtain, use, sell or transfer the other person's identity for
24 any unlawful purpose or to cause loss to a person WHETHER OR NOT THE PERSON
25 ACTUALLY SUFFERS ANY ECONOMIC LOSS AS A RESULT OF THE OFFENSE.

26 B. A peace officer in any jurisdiction in which an element of the
27 offense is committed or a result of the offense occurs may take a report.

28 C. If a defendant is alleged to have committed multiple violations of
29 this section within the same county, the prosecutor may file a complaint
30 charging all of the violations and any related charges under other sections
31 that have not been previously filed in the justice of the peace precinct in
32 which the greatest number of violations are alleged to have occurred.

33 D. Taking the identity of another person is class 4 felony.

APPROVED BY THE GOVERNOR APRIL 29, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2002.



Passed the House March 21, 2002,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate April 17, 2002

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

 day of , 20 ,

at o'clock M.

Secretary to the Governor

Approved this day of

 , 20 ,

at o'clock M.

Governor of Arizona

H.B. 2282

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this day of , 20 ,

at o'clock M.

Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

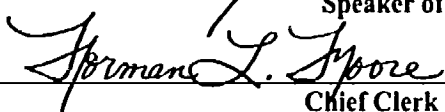
April 25, 2002,

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting



Speaker of the House



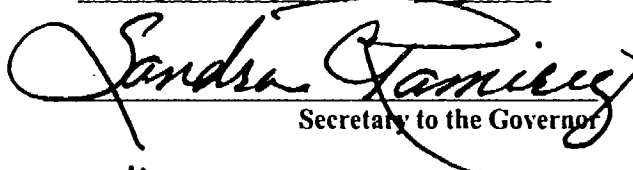
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

25 day of April, 2002

at 1:59 o'clock P M.



Secretary to the Governor

Approved this 29th day of

April, 2002,

at 1:56 o'clock P M.



Governor of Arizona

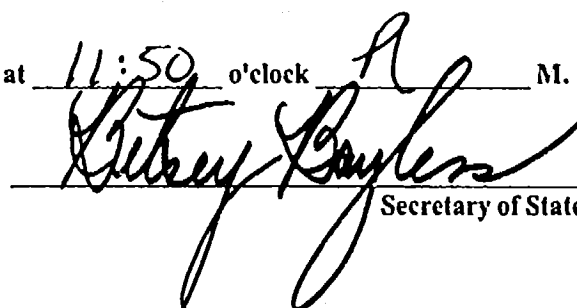
H.B. 2282

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of April, 2002,

at 11:50 o'clock P M.



Secretary of State